

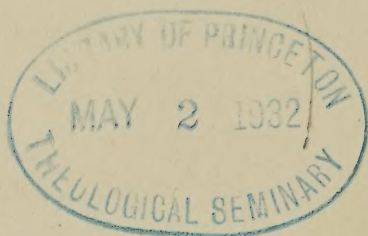
THE STATE AND
THE KINGDOM

—
WILLIAM MONROE BALCH

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THE STATE AND THE KINGDOM

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To My SON
ROBERT MANNING BALCH
CITIZEN AND SOLDIER

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INTRODUCTION

ARE we presently to tear up the flag? Is patriotism to be numbered among the discarded superstitions? Is the political state a failure in the promotion of social progress? Will it be superseded by autonomous industrial groups? Is civil government a mere tool of capitalistic exploiters? Is the national state to be damned and dissolved by the brotherhood of man?

Such questions are more than academic futilities. All anarchists and many socialists are insisting that nations and flags are obsolete and immoral. The red syndicalist and the machine politician who execrates him are alike in declaring the state a dead failure in economic and social reforms. Highbrows and intelligentsia of several sorts speak superciliously of the state as merely one, and much less than the chief one, among our many social institutions. The laboring

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masses of the world seem to be growing less and less trustful of ballots, laws, and courts as the securities of social justice and the instruments of social betterment.

Social politics thus makes strange bed-fellows. The ultra-conservative might be less confident in his vociferation against the government as the instrument of welfare-service were he to notice that his political skepticism is oddly harmonious with that of the ultra-radical who proposes to get rid of the unserviceable government and put a more serviceable instrument in its place. And all the way between them are assorted thinkers (or talkers) who swell the same anti-patriotic chorus with varied but concordant notes. Some are urging that patriotism is but a flatulent sublimation of militarism, doomed to deflation whenever the military spirit shall be deflated. A certain popular historiographer sees in nationalism little more than wanton ill will toward other nations than one's own, and a modern instance soon to be relegated to the limbo of pernicious anachronisms. There is also that great

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number who seem sincerely persuaded that the state is merely a sinister artifice whereby the exploiters can subject the exploited to intimidation and coercion, and patriotism an illusion maliciously created in order to inhibit the just resentment of the victims. Others are actuated by an indiscriminate zeal to reduce taxes, repeal statutes, and see to it that the government quits "meddling with business." And so all, in their several ways, are doing one thing: they are discrediting their country.

It may seem easy to dismiss such views as mere insignificant wrong-headedness. It is less easy, but more profitable, to try to understand them, and, further, to understand what the state is, what it can do, and what it ought to do, and why. Is the nation a sovereignty and a sanctity? Is patriotism one of the moral imperatives? Is it apart from or a part of humanitarianism? Is politics a played-out game, or is it to be the perennial process of advancing democracy? Is democracy itself anything better than the baseless shadow of a pipe-dream? The following

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discussion aims to help the thoughtful and conscientious citizen to an understanding of the origin and the nature of the state, and to a valid appraisal of law, democracy, and politics.

CHAPTER I

THE ORIGIN OF THE STATE

1. *The state was not consciously invented nor artificially fabricated.*

MEN did not come together "in a condition of nature" to create a state where no state had been. Particular states may have been established by concerted action at given places, but only by men who already belonged to some existing state. *The state* was always prior to any *states* thus established and such new states simply inherited their constituent elements from their predecessors. Yet even this much of artificial state-making, if real, is rare.

2. *The state originates in human nature.*

Membership in the state is the natural condition of man. "Man," said Aristotle, "is a political animal." Since history began every man born has been born into

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a state. It may, perhaps, be insisted that we take account of a few "nature-peoples" living in tiny food-groups, who are said to have no sort of political organization. But even if such there be, it is still true that every man is born into a family and that the state itself was born of the family.

What, then, is to be said to the occasional denial that primeval men lived in families, and the kindred denial that the state had its source in the family?

As to the first of these questions, it may be said confidently that the conception of the earliest human association as a horde living in sexual promiscuity and not as a family, is no longer in the best of standing. Since the great work of Westermarck on *The History of Human Marriage*, the competent specialists, by a large majority, have accepted his findings that the family is as old as humanity itself, and that the few doubtful instances of promiscuous hordes are to be reckoned, not as primitive, but as degenerate forms of association.

The venerable theory that "the state is

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the family writ large" (to use Woodrow Wilson's phrasing of it) meets with an imposing challenge. According to the theory in question, primitive families, retaining the loyalty of their ever-remoter kindred, expanded naturally and gradually into tribes, and tribes in turn, as their functions of control, defense and welfare-service matured, expanded into states. Thus the state is a vast and majestic household.

This view is challenged, for instance, by an American publicist who sees the beginning of the state in a band of savage warriors organized to protect and increase their joint property. Similarly, a great German publicist finds the beginning of the state in nothing better than a primitive bandit gang. Granting that the possession of property strengthened, and the hope of increasing it stimulated the earliest organizations of social control, the question would still arise, What kind of group would naturally hold such a joint property and fight either to defend or to enlarge it? Is not the answer of good sense simply this—"A *group of kins-*

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men"? Even if the earliest "state" were only a war party or a bandit crew, the warriors or bandits in most cases would be brothers and cousins, and so it would be a family affair after all. Thus even by the way of the challenging position we return to the position challenged. And these views which pose as quite modern may be very well illustrated out of the Old Testament. And instead of displacing they serve very well as footnotes to the old "patriarchal theory" of the origin of the state. Thus, and truly, writes Walter Rauschenbusch: "Political unity was at first an expansion of family unity. The passionate loyalty with which a nation defends its country and its freedom is not simply a defense of real estate and livestock, but of its national brotherhood and solidarity. Patriotism hitherto has been largely a prophetic outreaching toward a great fellowship nowhere realized. The peoples walk by faith."¹

3. *The nation is of divine origin.*

Is it derived from evolution? If so,

¹ *The Social Principles of Jesus*, page 24. Copyright by Association Press.

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“evolution is God’s way of doing things.” Is it derived from human nature? “God made man in his own image.” Is it the spontaneous outgrowth of human life? “In him we live, and move, and have our being.”

Thus the divine origin of the state appears, first, in the divine origin of man; second, in the divine origin of the family; third, in the divine end in history. Whatever is truly natural, truly human, truly beneficent is therefore truly divine, and nowhere more truly than in the transcendent dignity of the nation.

CHAPTER II

THE NATURE OF THE STATE

1. *The national state and the dynastic state.*

STATES are of two sorts, fundamentally different—the national state and the dynastic state.

The national state, or the nation, is a sovereignty constituted by a people conscious of itself as a distinct political unit. The national unity thus realized may be one or both of two things. It may be a *racial* unity, as the Italian nation or the German nation. Each of these great states achieved its own being because its people believed themselves to be one race. Whether or not their belief can be verified as a biological fact is not to the point. What is to the point is that the belief itself is a psychological fact, and constitutes its own verification. It is one of those “imponderables” which Bismarck

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himself reckoned more potent than blood and iron. Perhaps more than anything else, this sort of racial nationalism has been the determining dynamic in the last hundred years of history.

The unity of a national state may also be an *interest-unity*, the consciousness of a common economic and cultural solidarity, sometimes even the conviction of an exalted vocation in history.

Interest-unity will, of course, intensify racial unity, or in the absence of the latter may even serve as an effective substitute for it. Thus two or more races are often joined in one nation, as Belgium, Switzerland, and preeminently the United Kingdom and the United States.

In fundamental contrast with the national state is the dynastic state, a sovereignty constituted by the territorial patrimony of some reigning family. It exists by virtue of historical accident and not through the action of true state-making forces. In two distinct ways it may lack the unity of a true nation. First, by reason of *over-inclusion* it may embrace various nationalities without assimilating

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ing them to itself or even reconciling them to one another. Unnatural as such statehood is in fact, it has nevertheless been arrogantly and officially dogmatized. In one of history's most pregnant hours, namely, at the Congress of Vienna, when the English representative declared that England stood for the rights of the European peoples, Metternich replied that Austria stood for the prerogatives of the European dynasties. Though the rising power of nationalism at last drove Metternich from the empire which he had so long and so adroitly dominated, yet even then Austria read not the writing on the wall, and at last, in November, 1918, Austria's own "pomp of yesterday was one with Nineveh and Tyre." To be a German, to be a Magyar, to be a Czech, to be a Servian, to be a Pole, is a spiritual fact, but to be a subject of the House of Hapsburg is only a passing incident. That explains why there is no Austrian Empire on the map to-day. Thus, too, the Turkish Empire was defective by over-inclusion. Arab, Armenian, and Greek could not be made Turk by the coercion of an

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Ottoman dynasty. And if Turkey remains on the map to-day, it is only because the Turks have resolved to be no longer an empire but a nation, while the old subject nationalities are not only permitted but constrained to go their own way.

Also, by reason of *exclusion* the dynastic state often violates the principle of national unity. Such a state may be only a dismembered fragment of a nation, like Lichtenstein, whose population is a part of the German nation excluded from the German state, or San Marino, in like manner a segregated portion of Italy. The occasional existence of such tiny states may be harmless because of their unimportance. But the dissection of the German nation into some three hundred sovereignties, some of them so diminutive that merchants would evade the customs-duties by a half-hour's detour, was a spectacle almost as tragic as it was absurd. It was the vivisection of a nation's soul. Under the present emergency conditions there is, perhaps, a prudential justification for the refusal of the World War

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victors to permit Austria to enter the German Republic. Nevertheless, the Austrians are of German blood and German spirit, and to deny them their place in German national life may, possibly, prove to be the greater imprudence in the end.

The dynastic state, whether by reason of over-inclusion or exclusion, is only a pseudo-state. It is fatally vitiated by elements of cynicism, mockery, unreality. It is a structure whose supports do not tally with its weights and thrusts. It is an offense against the human spirit and accounts for many of the reddest disasters in all the cycles of time. The state which is also a nation, whether by racial unity or interest-unity, is the only one that can possibly know "the peace and married calm of states."

Our further concern, in these pages, will be with the national state alone.

2. The state is the functioning organ of society.

Political action is the effort of society to exert its own will. The state, of course, is not the only social organ that func-

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tions; there are the family, the school, the corporation. But through these it is only a part of society that functions. When society endeavors to function *as a unit*, it does so in the character of the sovereign state. Society institutionalizes its own identity in the state.

This larger significance of the state can be verified by two considerations.

First, the state is the largest permanent social group which is able to function regularly as a unit. It is the only group to which every individual belongs.

Again, the state is a sovereignty. It is the only group which is subordinate to no other group. It is the group to which all other groups, save only other states, are subordinate. Some publicists indeed repudiate this doctrine of sovereignty, apparently owing to misconceptions. Sovereignty, for instance, is not omnipotence. There are many things which the most powerful sovereignties cannot do; even some of the powers which they wield in contemplation of the law are unwieldy in practice. Neither is sovereignty the same as moral infallibility. It does not

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mean that the state can do no wrong. It means merely that the wrong done by the state is not against any political law, though none the less against the moral law and the divine law. The state itself is subject in all things to the higher sovereignty of the ethical and the divine. The sovereignty of the state means simply that its majesty is as high and its dominion as wide as the society which it embodies.

This identification of the state with society defines at once the relations of the state to its smaller included groups, the relations of the state to other states, and the sphere and functions of the state.

The subordination of the smaller groups to the state enhances their sanctity. It does not mean, for instance, that a man's loyalty to his family is a minor virtue compared with his loyalty to the nation. Rather it means that his family loyalty receives added sanctity because it is vital to his national loyalty. Since disloyalty to family weakens the nation and, if general, presages national decadence, it follows that family loyalty,

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a major virtue in itself, becomes doubly virtuous by reason of its vital import to any great nation. So of any of the social virtues, any of the social groups; he who is true to these, establishing their integrity, beautifying their structure, sweetening and strengthening their human helpfulness, may reflect confidently, proudly, "I am building the nation, making high history, cooperating with the great and the good of all times, uplifting the generations to come."

The government is not the state. It is the agency to which the state commits the functions of political control. Hence, governments may rise and fall, even with revolutionary suddenness, and yet the state goes right on, its continuity uninterrupted. Thus fell the French and the German Empires, each only a government, but France and Germany, each a state, survived in republics, each another government but the same state. To illustrate concretely: In such cases the new government is held responsible for the public debt and the international obligations of the old government, these respon-

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sibilities being those of the one state which acts through both governments. For the state has its being, not even in its most august institutions, but in society itself. Roman governments fell repeatedly, but the downfall of the Roman state came only with the downfall of Roman society.

The relationship of the state to other states is also implicit in the social nature of the state. Each national state, being a distinct society, is a member of the world-community with other states. This may seem to assert a super-society, if not a super-state, and thus may appear to leave the society embodied in the state in the aspect of a mere social group subordinate to that greater society which is the community of nations. That would be true were the community of nations actually embodied in a world-state. But, inasmuch as there is no such world-state, it is still true that the present political state is identical with society in its widest organization and in its sovereign prerogatives. And the fullest self-realization of each nation is to be achieved in

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the community of the nations. Just as the individual attains the highest individuality through fraternity with other individuals, just as the family reaches its fullest development by making good in the neighborhood, so the nation attains the highest nationality in the neighborhood of nations. "America first," or any other nation "first," cannot be achieved rightly, nor achieved at all, except by being first in brotherhood. The selfish attempt of any nation to be "first," or "*ueber alles*," in any way other than the way of service, is the shortest way to self-belittlement and historic ignominy.

One still may ask, "Can it, after all, be said in truth that the state is the largest social group functioning as a unit?" What of international combinations, ententes, alliances, Peace Conferences, and the League of Nations? Do we not have here functioning groups larger than any state? The answer is simply that these are groups of the states, and their functioning is that of states cooperating indeed, yet still functioning individually. Any such group, so far as voluntary and

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impermanent, has no volition of its own, but acts on, as it exists by, the several volitions of the participating states. On the other hand, should such a group become permanent and sovereign, it would simply be a new and larger state. And were it to become all-inclusive, it would then be the world-state. This may well be the goal toward which age-long history is ever tending. It seems implicit in the gospel prediction of the kingdom of heaven.

The identification of society with the state defines the sphere and function of the state.

Is that country "best governed that is least governed"? That depends on how much and what kind of governing it needs. It is true that the best country is the one that will need the least restraint. But restraint is only one of the two great functions of the state. The other is service. The restraint-function of the state should decrease with progress, but the service-function should increase. That is to say, it is the nature of increasing socialization to qualify the

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members of society for the doing of universal team work with increasing efficiency and to use the state in that behalf. For the function of the state is to do whatever society can do for its own welfare through its political organs and powers.

3. *The state is a moral and religious being.*

The process of a nation's history is the formation of its national purpose. And the purpose to which a nation sets itself, as truly as the purpose of an individual, registers its moral character.

The nation's character is evolved through moral conflict. It grows by bearing its part, whether good or evil, in the age-long strife between the right and the wrong. Thus it attains to its own good or evil.

Furthermore, in the words of Mulford, "the nation is a moral person, since it is called as a power in the coming of that Kingdom in which is the moral government of the world, and whose completion is the goal of history."¹ It was one of the

¹*The Nation*, page 19.

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greatest sayings of Aristotle, and, indeed, of the ancient world, that "the end of the state is not merely to live but to live nobly."²

The state, because a moral being, is therefore a religious being. It is the power and minister of God, subsisting in his will, answerable to his judgment, and rising or falling according to its conformity to his purpose. "Let every soul be subject unto the higher powers. For there is no power but of God; the powers that be are ordained of God. Whosoever, therefore, resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation. For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? do that which is good, and thou shalt have praise of the same: for he is the minister of God to thee for good."³

4. *The United States is a Christian nation.*

In the decision of the momentous

² *Politics*: Book I, Chapter II.

³ Romans 13. 1-4.

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“Holy Trinity Case” the Supreme Court of the United States used these words: “These, and many other matters which might be noticed, add a volume of unofficial declarations to the mass of organic utterances that this is a Christian nation.”⁴ The venerable Justice Brewer, of the same court, once wrote a volume entitled *The United States a Christian Nation*, in which he demonstrated that the Christian character of this republic is established in the public sentiment and conscience, in the basic facts of our national history, and in the definite formulations of the law.

This does not mean that other religions and irreligion are forbidden by law, nor that citizens are required to practice Christian forms of worship, nor that taxes must be paid for the support of Christian churches. But its meaning may be set forth, in part at least, in the propositions that here ensue:

That laws and public institutions should not disharmonize with the fact

⁴Holy Trinity Church vs. U. S., 143 U. S. 471.

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that Christianity is the faith of the great mass of the American people.

That public policy should encourage religious institutions, though not exclusively those of the Christian religion, since such an ungenerous limitation would itself be unchristian.

That the existence of our republic has been evolved by historic forces among which Christianity is the chief, illustrating the saying of Sir John Seeley that "from history we learn that the great function of religion has been the founding and sustaining of states."

In view of the Christian character of the nation many religious policies have been practiced or proposed as public policies. Among such the following may claim brief discussion here:

(1) Public bodies and public occasions are officially solemnized by prayer, as illustrated by legislative and military chaplaincies, and the impressive solemnities with which the Arms Conference at Washington was so auspiciously opened.

(2) The exemption of church property from taxes is generally practiced, though

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often called in question. Usually, this practice is justified on the ground that public welfare calls for the encouragement of religious institutions by the state. Not only in the promotion of public morality but in recognition of the eternal fitness of things, it may be urged that the state should refrain from exacting tribute from institutions dedicated in all good faith to the honor of Almighty God. On the other hand, it is sometimes urged that such exemption increases the burden of taxation upon nonexempt property and thus amounts to taxation for the support of churches. Meeting that objection on its own ground, the exemption in question may be justified by the principle that the tax burden should be distributed in the proportion of each citizen's ability to pay the tax, and it is obvious that the ownership of a church building by its congregation in nowise increases the ability of the members to pay taxes, but often the contrary. Thus, it follows that to tax churches would only augment, sometimes even multiply, the proportion of the tax to the paying

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power of the citizen. It would seem hardly better than cynical or malicious to penalize church members for their generosity in creating and supporting an institution of good which adds nothing to their private property or income.

(3) The explicit recognition of God in the text of the laws is an occasional demand of devout citizens and its absence the pretext on which certain rigorous sects deliver their testimony against the participation of Christians in political affairs. Yet the question, Where and how shall God be recognized in the laws? is not easily answered. Shall this be done in the text of the written Constitution? That document is only the formal definition and organization of the government, and with equal reason the same requirement might be made with regard to each statute in turn as it is enacted. The result would be simply to multiply vain repetitions, as the heathen do. Or, shall it suffice if the divine recognition be enacted in the unwritten constitution, in the public mind and the historic purpose of the nation, the law which is behind

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every law? There, indeed, the name of God is already written in letters of living light, and, as long as that writing remains, no formality of official printing can enhance its authority, nor perpetuate it one hour after the Name has faded from the heart of the nation.

CHAPTER III

THE SOCIAL NATURE OF LAW

LEGISLATION is the effective public will. It is not always identical with statutory enactments. Statutes usually decree much less than the public will, and sometimes even more. When the public will effectually decrees more than the statutes require we have, once more, "the common law" which antedated all statutes and in its own ceaseless evolution is quietly but continually amending them. Indeed, as our Anglo-Saxon ancestors understood, nothing else was law.

On the other hand, when the statute decrees more than the public will requires, then one of two results ensues: either the statute becomes a "dead letter," or else it attracts the public will to its support.

It is, then, not far from accurate to say that legislatures are the discoverers and

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publishers rather than the makers of law. The real lawmaker, under God, is the mind of society.

At this point several practical questions may be raised.

For instance, shall statutes undertake to enforce all the dictates of private and domestic morality, as the Golden Rule, reverent speech, and the New Testament restrictions of divorce? Statutes often would not be effective in achieving these ends unless demanded by the general will of society, and in that case many such principles would be willingly observed without statutory enactment.

Does it follow that no laws should be enacted until their enforcement is guaranteed by preexisting and well-defined public sentiment? The answer depends on whether the statute in question is likely in time to educate the people up to the moral level of the statute. For instance, the State of Kansas enacted prohibition at a time when the public will in its behalf was distinctly less than effective. But such public will as there was, by exercising itself, developed effec-

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tiveness. Thus a progressive statute with its zealous supporters became an educational force whereby the public sentiment of that State has become relentlessly resolute and all but unanimous for the prohibition of the drink traffic. It may be hoped that the Eighteenth Amendment will have the same triumphant history. Again, slavery was abolished in the United States at a time when the public will was divided on that issue. Since then the public will has become unanimous. Thus, for the process of social legislation, history seems to validate this formula: first, the education of public opinion; next, the enactment of a statute somewhat in advance of public opinion, yet harmonious with the social ideals; finally, the dramatic conflict for the enforcement of the statute, arousing public opinion to a conclusive decision. As a maker of the social mind the legislator thus has a twofold power; first, by branding certain odious acts as crimes, to render them more odious in the eyes of the community; second, by punishing them as crimes, or striving heartily so to

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do, to rally favorable sentiment into a fighting passion for the law. Thus the penal code has always been one among the chief educational instruments in the moral and civic discipline of mankind. And this is no mere after-thought of "dry" propagandists casting about for a theory to support the great adventure of the Eighteenth Amendment. It is a familiar position of accredited publicists in general and may be illustrated by the recent pronouncements of such eminent jurists as Freund¹ in America and Oppenheimer² in Europe, neither of whom seems to be writing with any reference whatever to our prohibition laws. It must, then, be recognized that the public will is not static but that it matures through a dynamic process of self-assertion and self-exertion.

The test in a given case need not be, Does the proposed statute embody a *specific demand* of the public will? but Does it embody *an ideal* which is sanctioned by the public will? Perhaps when

¹ See the Standards of American Legislation.

² See The Rationale of Punishment.



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Kansas enacted prohibition the public will of that State was not specifically demanding prohibition. But certainly it did sanction the ideals of sobriety, thrift, and social order, and from that sanction the ultimate effectiveness of prohibition was a natural outgrowth. When slavery was abolished the public will, perhaps, was not specifically demanding abolition, but it certainly sanctioned the ideal of liberty.

CHAPTER IV

THE SOCIAL NATURE OF DEMOCRACY

DEMOCRACY is beginning to *prevail* in these days, but democracy did not *begin* in these days.

It is as old as the Old Testament. Moses pledging the people to the Covenant of Jehovah was exemplifying the referendum. And as truly, if less spiritually, the repudiation of Rehoboam by the voice of ten tribes against two exemplified the recall.

The New Testament also, both in spirit and in letter, makes democracy no less than an attribute of the kingdom of God. "Jesus called them unto him, and said, Ye know that the princes of the Gentiles exercise dominion over them; Not so shall it be among you: but whosoever would become great among you shall be your servant; and whosoever would be first among you shall be your bondser-

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vant; even as the Son of man came not to be served, but to serve and to give his life a ransom for many.”¹

The same democracy was living in the Middle Ages when a serf's son could become Pope, and when Thomas Aquinas, greatest of the authorized spokesmen of the Roman Church, could say: “A king who is unfaithful to his duty forfeits his claim to obedience. It is not rebellion to depose him, for he himself is a rebel whom the nation has a right to pull down. But it is better to abridge his power that he may be unable to abuse it. For this purpose the whole nation ought to have a share in governing itself. All political authority is derived from popular suffrage, and all laws must be made by the people or their representatives.”²

1. *Democracy is not majority rule.*

It is not, of course, adverse to majority rule; neither are they identical, for majority rule is sometimes tyranny, and tyranny is never democracy. Two

¹ Matt. 20. 25-28.

² Quoted by S. P. Cadman, *Christianity and the State*, page 225.

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bandits holding up one traveler would be majority rule, but hardly democracy. And it is no more democratic and hardly less a bandit's deed when colored people are taxed to pay a bond issue for the erection of public schools to which white children only are admitted.

The "dictatorship of the proletariat" belongs to the same category of misrule as the dictatorship of autocrats, or of aristocrats, or of plutocrats, or of bandits, and Lenin was characteristically honest in declaring that he was no democrat.

Majority rule is not always identical with democracy because the minority sometimes embodies the effective mind of the democracy. "In minorities opinion is uniformly more intense than it is in majorities, and this is what gives minorities so much greater influence in proportion to their numbers."³

Thus in some instances there is no subversion of democracy when laws are enacted and enforced through the activities

³Park and Burgess, *Introduction to The Science of Sociology*, page 792. University of Chicago Press.

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of an alert minority while the majority remains relatively passive. "If 49 per cent of a community feel strongly on one side, and 51 per cent very lukewarmly on the other, the former opinion has the greater public force behind it and is certain to prevail ultimately. This is especially true of moral questions."⁴ Sometimes it appears that such an inert majority, had it been aroused to self-expression, would have expressed itself in the negative. In such instances of resolute minorities overruling listless majorities we seem to have something not very different from "minority rule"; can it in any sense be called "democracy"? The answer is that inertness, like silence, gives consent; the inert majority, though a silent partner, is nevertheless an actual and a responsible partner in the transaction in question. Indeed, is it not true that most of the responsibilities to which we hold ourselves and hold one another are regularly assumed, not by active affirmation, but by inactive consent? In no

⁴ Park and Burgess, *Introduction to The Science of Sociology*, page 829. University of Chicago Press.

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other way could individuals, or groups, or states get through the multiform and complicated business of their lives. Democracy does not require that all the people must act all the time, but that all the people must be able to act at any time. In that case the action of as many as *do* act at a given time will be governed by the consideration that the entire public *can* act then and there if it will. The reality of democracy is to be tested, not by the incidents of its *active* control, but by the constancy of its *potential* control.

It is only a superficial view that sees in such facts a compromise of democracy, a surrender of the substance for a shadow of power. It is only because of our obsession with numbers that we think we see a disproportionate influence of minorities. What we really see is the operation of a better principle of proportion, influence proportioned not on the numerical but on the spiritual principle. We see gravity superseding enumeration, the weighing of brains rather than the counting of noses. Hence it is entirely consistent with democracy that a few of the

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people should interpret and apply to legislation the ideals that are cherished by the people as a whole. There are always some minds superior to most minds in their understanding of the common mind. And in no wise can the common mind better vindicate its sovereignty than by acceptance of competent leadership.

It should be noted again that such leadership is not always that of some outstanding individuals. More often it is the leadership of some group or organization which has concerned itself intensely in some particular range of the public interests. When various minority groups, being competent and determined, are thus successful in the enactment of legislation and in other functionings of government, often getting the will of the majority expressed and effected better than the majority could have done for itself, winning in the end the acquiescence and sometimes even the applause of the public, then we may say that such groups are acting virtually as the unofficial commissions of a democracy

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whose maturity is thus shown to be greater in the spirit than it ever can be in the letter. Here we seem to have an exact demonstration that democracy is functioning not as a mere mechanism but as a living organism.

The error as to the relation of democracy and "majority rule" comes, perhaps, from emphasizing "majority" in contrast with "minority." Placing the emphasis on neither of these, we should find the ideal of democracy in the self-rule of all the people acting as one. This does not mean that all are to be of one opinion but that all are to be partners in the common interest. So far as such an ideal is actualized, each citizen is privileged to contribute his own influence to the public thought and purpose, and the degree of his actual control therein will always be measured by the worth and strength of his contribution.

2. Democracy is never the exploitation of its members by the group.

The Old-World theory, both Greek and Roman, was that the state is an end in itself, and that its aggrandizement and

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power are more important than the welfare of the citizens. Thus, too, "*Deutschland ueber alles*" evidently implied that "*das deutsche Reich*" might rightly require the unlimited sacrifice of "*das deutsche Volk.*" Such states defeat their own ends. They forfeit the greatness which they covet, and at last perish by feeding on their own vitals. Although this is the distinctive peril of imperial states, there seems to be no assurance that a democratic state might not incur the same fate through the same folly. Yet in so doing it would so far depart from the character of true democracy; it might still be a government *of* the people *by* the people, but not *for* the people.

3. *Democracy is self-government by all the people as an organic unit.*

The minority, being an organic part of the people, has rights which the majority does not override, for the rights in question are not those of the minority alone; they are the rights of everybody, the majority included. And if the majority violates the common rights, then the oneness of the people has been violated and

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to that extent democracy has been replaced by aristocracy.

The public mind is a composite to which the majority and the minority each contributes in proportion to its influence. The public mind is therefore very different from what it would have been if the majority mind had given no consideration to the minority as a group or as individuals. The rule of the majority might mean merely that one group imposes its will on another group. But the rule of the public mind should mean that every group shares in creating the prevailing will of the state. And not only the public mind as a whole, but also the mind of the majority itself is vitally modified by the mind of the minority. For instance, the mind of the Republican Party in the United States is to-day appreciably different from what it would be were there no Democratic Party or if the latter were other than it is.

In a true democracy the negative voters accept the final decision against which they have voted. And such an acceptance is more than a sullen sufferance of the

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inevitable; it is a definite and active co-operation in the newly created situation. They may not, indeed, renounce their former conviction, but they do assert their higher conviction that it is necessary for the democracy to act effectively, and so they dedicate themselves to public team work. It is still their right to urge that the public policies in question be revised or even reversed, but meantime they are "strong for the team."

This team spirit makes the public policy the common policy of majority and minority alike, and is something nobler than mere "majority rule." So far as we fail of this, as do those who try to repeal the Eighteenth Amendment by violating it, we fail of true democracy and achieve anarchy. So far as we succeed we differentiate our America from some of the so-called republics to the south of us, where majorities seek chiefly to rule minorities, or the strong to rule the weak, and where the negative voters, when they have hardihood enough, are almost sure to rebel against public decisions. Democracy consists in being "good sports." The only

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better description is to say that it is brotherhood. Democracy, therefore, is nearly synonymous with society. It may be called the political aspect of socialization.

CHAPTER V

THE SOCIAL NATURE OF POLITICS

SECTIONALISM was the earmark of the old politics. "North and South" is the familiar illustration in American history. And in Europe, no less than in America, the older political issues were not only racial, factional, and dynastic, but also provincial and even local. Much of history is best read in such terms as Athens versus Sparta, Latium versus Etruria, Austria versus Hungary, English shires versus boroughs, Highlands versus Lowlands, New France versus New England, Chicago versus Saint Louis, or the Mississippi Valley versus the Atlantic seaboard.

Far more significant is the customary organization of government on the lines of geography and on the basis of territorial interests. In addition to the fact that nations are defined by their physio-

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graphic boundaries, we have the corresponding fact that their political structure is an elaborate system of territorial representation. Legislative bodies are composed of delegates from "districts" or "wards," senators represent "States" and even members of the Cabinet and of the Supreme Court must be discreetly apportioned without disturbing the susceptibilities of our various "sections."

All this is so familiar that any alternative system could hardly get itself considered. Yet within the outward form and framework of this system another has already evolved with some definiteness of form, a high degree of working effectiveness, and no little suggestion of revolutionary possibilities.

This new politics is that of social groups. The territorial unit is still, of course, the ostensible basis of representation. But the actual struggle for representation is among interest groups. "The gentleman from Indiana" or "The member from Gray Wolf County" is not indifferent to the interests of his State or

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county. But it is not unusual that he cares more for some "cause" which he champions, or for some interested group upon whose influence he is dependent or whose welfare he has at heart. And thus the issues at stake and the interests in conflict in present-day politics are largely such as those of "organized labor against organized capital," "the have-nots against the haves," "wets against dries," "the agricultural bloc," business interests seeking lower taxes opposed by teachers seeking higher pay and better schools, tenants against landlords, cooperatives against corporations, shippers against railroads, the debtor class against Wall Street, old school doctors against "healers" and osteopaths, Ku-Kluxers against Romanists and Jews, ex-service men, postal clerks, single-taxers, anti-vivisectionists, anti-vaccinationists, feminists, and eugenicists, to say nothing of pedestrians versus motorists.

This tendency is most vividly visible in legislative bodies. There, his words and actions are likely to identify the representative, sometimes in some spectacular

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manner, with the interest or cause for which he stands. But the same tendency is even more prevalent, probably because less conspicuous, in administration than it is in legislation. Thus the federal Geological Survey, the Coast Survey, the Bureau of Plant Industry, the Departments of Commerce, Agriculture, and Labor, the Consular Service, the Forest Patrol, the Bureau of Standards, the Federal Reserve Board, the Inter-State Commerce Commission, and the Children's Bureau are a few of many such undertakings on the part of our national government, in addition to which our States, counties, and cities undertake an almost infinite variety of service administrations. The fact that they serve certain groups more directly than others does not usually detract from their essential character of public service. For often the direct service of one group is an indirect yet greater service to society at large, as when the government promotes the economical marketing of crops or the prompt placement of unemployed labor. And it is often true that immediate

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injustice to some disadvantaged social group becomes an ultimate disaster to the public.

Most of the interests which thus get themselves inexactly represented are economic interests. But there is a proposed system which would aim to make actual representation measure exactly the interests which are now inexactly measured through these manipulations of our territorial representation. For instance, one of the many political parties of France, the Liberal Action Party, has long championed the establishment, alongside the political parliament, of an economic parliament as a more or less authoritative but never silent partner in the prerogatives of government. This party was able to rally more than a million voters to its support, and in January, 1925, the National Economic Council was legally authorized as an organ of the government of France. It consists of forty-seven members, nine of whom represent the public at large, eight represent capital, and thirty represent labor, including managerial, technical, and educational

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labor, as well as manual labor. All are chosen by the political government. True, its functions are advisory only, but they are of a dignified and consequential character.¹ Some are hoping, others fearing, that this body may some time evolve into a real parliament with no less than sovereign powers of legislation.

An experiment even more significant than the French Economic Council is being launched as these pages are being written.² Late in the autumn of 1925 Mussolini is undertaking the complete reorganization of the Italian Constitution on the basis of occupational representation. The citizens of each province are to be organized into three electoral corporations, representing respectively, agriculture, industry and commerce, and the intellectual professions. Each of these corporations is to consist of two parts, the employed and employing classes. The Senate of the Kingdom and the local municipal councils are then to be elected

¹The Labor Review, March, 1925, pp. 30-32.

²Current History Magazine, December, 1925, pp. 431-434.

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by these corporations. The new system will be applied to the Senate gradually as each seat becomes vacant in turn. An influential element of the Fascisti propose that the new system be applied to the lower house of parliament also, and this would probably ensue should the new organization of the Senate hold its place in Italy's constitutional structure. It seems probable that Mussolini will put this amazing revolution into actual effect and that, whether for good or ill, it will prove eventually one of the most significant political experiments of the present generation.

A parallel tendency toward the political representation of social groups is also reported from far-away India. In the southern part of that empire the Nationalist party is committed to the representation of castes rather than of districts in the new provincial legislatures.³ This recalls the old *Comitia Curiata* of the Romans. Still more significantly, it recalls Booker T. Washing-

³See article by E. A. Ross, *The Century*, December, 1925.

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ton's desire that the American Negroes may become "a nation within a nation," and Horace Kallen's proposal that the American republic shall add a federation of races to the federation of the States.⁴

Wide apart as these ideas of economic representation and racial representation may seem, they are nevertheless parallel in the one respect that they foresee in social rather than geographical representation the characterizing political feature of the near future.

It should be understood that the present writer's intention is not to assert the superiority of the French or the Italian innovation over our own or any other representative system, nor to contend for the political representation of Hindu castes or of American Negroes grouped in electoral units. These are cited rather as illustrations of the wider tendency toward the socializing of politics, with the evolution of political forms becoming increasingly expressive of the social and cooperative spirit.

⁴See American Journal of Sociology, September, 1925, page 260.

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Such a system of group representation would not necessarily be based on occupational groups, nor need it wholly supplant the system of territorial representation. But in some of its possible forms it would seem that the regular representation of interest groups is likely to be approximated in the future institutions of constitutional government. Its essential justice is evident in the fact that under the present system, if some one of the many group-interests is supported, say, by a million voters scattered throughout the States they might be unable to elect a single member of Congress. Yet another group, including only one tenth as many voters, if concentrated in one State, might control that State's entire delegation to the Senate and House of Representatives. The wide-spread interest and the diffused constituency ought to be as well represented as those that are now favored by accidental aggregation in a narrow locality.

Hardly a week passes without some periodical writer making the horrified discovery that all this resembles the Soviet-

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ism of Russia, which is ostensibly (probably not actually) a system of government by representation of occupational groups. Thus the "Farm-bloc," the American Federation of Labor, the Anti-Saloon League, and even the American Legion are cordially consigned to the limbo of Lenin. If these are "soviets," then as much is true of the "N. E. A.," the bankers' associations, the National Association of Manufacturers, the American Bar Association, and the United States Chamber of Commerce, all of which have definite and legitimate interests to be promoted or protected by government. The resemblance of such groups to the Russian soviets is, of course, superficial. Significant resemblances in politics are not matters of form or mechanism but of spiritual attitudes. Considered as a state of mind the "Farm-bloc," for instance, resembles a Russian soviet in about the same degree that a Methodist Conference resembles a Mecca pilgrimage. Each of the former two is an economic group in political activity; each of the latter two is a reli-

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gious group assembling at a destination.

Society does not subsist in geographical facts, save in a minor sense. Society is the interaction of human minds, and our progressive politics will tend increasingly to register and effectuate the co-operative thought and conscience of mankind.

CHAPTER VI

THE SACREDNESS OF POLITICS

“**THY** kingdom come, thy will be done, in earth, as it is in heaven.” The great words of the prayer, great as they are for worship, are as great for politics also. For the earthly state in which God’s will is done will be in very fact the heavenly kingdom for which we pray. If such a view of the state seems to be an ideal vision, yet is it not visionary. For, in the long run of history, political idealism proves itself to be, as Benjamin Kidd denominates it, “the science of power.” And the highest significance which glorifies such radiant names as those of Amenophis IV, Moses, Daniel, Louis IX, William the Silent, Gladstone, and Lincoln is the sublime fact that they all relied on faith in God as a working force in practical politics. On the other hand, nothing in the historic record is plainer

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than this: that politics without God is impolitics.

To say that the state is divine and its service religious, is not to ascribe perfection to the structure of its government nor moral worth to the activities of its political life. Government may be imperfect, even immoral, yet always is the state divine because it is a divine idea. Though polygamy is not divine, the family is divine. Though sweat-shops are not divine, human industry is divine. And taking the divine name in vain is hardly more profane than is the perversion and debasement of divine ideas. As Richard T. Ely says: "The nature of offenses against the purity of political life as offenses against God has not in recent years been adequately emphasized."¹

During the World War a word of tremendous effectiveness came into popular use, the word "slacker." To be sure, it was recklessly and inaccurately bandied about, but on the whole it served well as one of the great moral missiles of those great days. The slacker was more hated

¹ *The Social Law of Service*, page 171.

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than the enemy, and justly so. His was the sin of Meroz and the sin of Laodicea. And Dante, and Milton, and Jesus himself have no harder words of indignation against the doers of evil than the words in which they measure out their holy wrath against those whom the man on the street calls the "slackers." We need that word in peace time no less than in war time. For our country needs intelligent, courageous, and conscientious voters now as truly as it needed brave and loyal soldiers then. And not only in the grave duty of competent voting but in all the acts of citizenship and in all the social and moral attitudes that react on political welfare, the duties of every citizen are ever present and ever pressing. Unfortunately, however, his civic duties are not merely antagonized by evil interests, but are also in hard competition with interests that are not evil at all, but are simply preoccupying, and the latter are probably a more disconcerting obstacle to good citizenship than the former. Many good citizens are so busy about their private business that they

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have not time to "get busy" about the public business. The consequence is that the public business is left to those who make it their private business. Some of these are conscientious and faithful, many are essentially selfish, some are sordid and even corrupt. We call them all "politicians" and think of them rather poorly. Yet "politician" truly means a servant of the public good, and every citizen ought to be a politician. An urgent public problem is "how to make the indifferent different."

It might be difficult to say certainly what is the greatest present need of our country. Perhaps it is merely this, that a goodly number of young men of good abilities and good education, and, if possible, of independent means, should prepare themselves seriously and thoroughly to follow politics as a sacred vocation, determined to serve their country in peace as devotedly as good soldiers do in war. In setting such an example before the privileged young manhood of America, and doing it in a way that was at once successful, consistent, and illus-

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trious, it is quite possible that Theodore Roosevelt rendered the most eminent of his many eminent services to his country. If a tithe of those who give themselves to successful moneymaking were thus to give themselves to the service of America, the future of the republic would be assured.

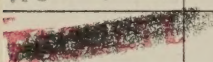
To neglect one's citizenship is well-nigh as disloyal as to evade the draft. To use it corruptly is something like treasonable traffic with the enemy. A prayer is man's wish to God. A ballot is man's response to God's will for man. A bad ballot is an impiety kindred to a bad prayer. Not to vote may be as irreligious as not to pray. But to exercise the full duty and merit the full privilege of American citizenship is a supreme achievement in patriotism and piety alike. Rarely has any saint in all the ages past had so great an opportunity to be a Christian in living fact and lasting effect as that which the age of democracy affords to the common man.

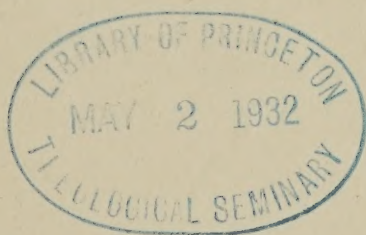
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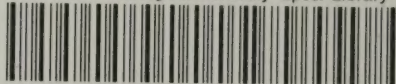
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